

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
MICHAEL MOTTA,

Plaintiff,

- against -

UNITED STATES OF AMERICA,

Defendant.
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18 Civ. 02052 (RWL)

ORDER OF DISMISSAL

ROBERT W. LEHRBURGER, United States Magistrate Judge.

The Court having been advised by the parties that all claims asserted in this action have been settled (Dkt. 41), it is ordered that the above-entitled action be, and hereby is, dismissed without costs; provided, however, that if the settlement is not consummated within thirty days of this Order, either party may apply by letter within that period to restore the action to the calendar. To be clear, any application to reopen must be filed within thirty days of this Order, and any application to reopen filed thereafter may be denied solely on that basis. If the parties wish for the Court to retain jurisdiction to enforce a settlement agreement, an order of the Court must be entered to that effect within the thirty day period. *See Hendrickson v. United States*, 791 F.3d 354, 358 (2d Cir. 2015). The final pretrial conference and trial dates are cancelled, along with all pending deadlines. The Clerk of the Court is respectfully directed to close the case.

SO ORDERED.



1/6/2020

ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: January 6, 2020
New York, New York

Copies transmitted to all counsel of record.